

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, JACKSONVILLE DIVISION

**Sheik Salaam El v. Arra Finance LLC, ICU Recovery, Auto Lounge
of Florida LLC and Crescent Auto Finance**

Sheik Salaam El · No. 3:25-cv-1358-JEP-SJH · Decided February 9, 2026

SUMMARY

The United States District Court for the Middle District of Florida adopts a magistrate judge’s Report and Recommendation recommending denial of the plaintiff’s application to proceed without prepaying fees or costs. The court dismisses the complaint without prejudice because the fee application was incomplete and the complaint was an impermissible shotgun pleading, then directs the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Jacksonville Division
WRITING FOR THE COURT	Jordan E. Pratt
JURISDICTION	United States District Court for the Middle District of Florida, Jacksonville Division
DECIDED	February 9, 2026
DOCKET	3:25-cv-1358-JEP-SJH
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending denial of the plaintiff's application to proceed without prepaying fees or costs and dismissal of the complaint without prejudice. No timely objections were filed.
STANDARD OF REVIEW	For portions of a magistrate judge's disposition that are properly objected to, the district court conducts de novo review under Federal Rule of Civil Procedure 72(b)(3) and 28 U.S.C. § 636(b). For unobjected-to factual and legal conclusions, the court reviews only for plain error and, if necessary, in the interests of justice.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown

PARTIES

Sheik Salaam El v. Arra Finance LLC, ICU Recovery, Auto Lounge of Florida LLC, Crescent Auto Finance

TOPICS

pleadings

civil procedure

PRACTICE AREAS

civil procedure

consumer protection

QUESTIONS PRESENTED

1. What standard of review applies when a party does not timely object to a magistrate judge's Report and Recommendation?
2. Whether the magistrate judge's recommendation to deny the incomplete application to proceed without prepaying fees or costs and dismiss the shotgun complaint without prejudice should be adopted.

HOLDINGS

1. When a party fails to timely object to a magistrate judge's factual and legal conclusions, the district court need not conduct de novo review and reviews those portions only for plain error, if review is necessary in the interests of justice.
2. The court adopted the magistrate judge's recommendation, denied the plaintiff's incomplete application to proceed without prepaying fees or costs, and dismissed the complaint without prejudice because it was a shotgun pleading.

KEY QUOTATIONS

“However, a party waives the right to challenge on appeal any unobjected-to factual and legal conclusions.”

“This Court reviews—for plain error and only if necessary, in the interests of justice—those portions of the Magistrate Judge’s findings to which no objection was filed.”

FACTUAL BACKGROUND

The plaintiff submitted an incomplete application to proceed without prepaying fees or costs. The complaint incorporated all preceding allegations into each count, which the magistrate judge characterized as a shotgun pleading. The plaintiff did not timely object to the magistrate judge's recommendations.

PROCEDURAL HISTORY

The plaintiff filed a complaint and an application to proceed in district court without prepaying fees or costs. The magistrate judge recommended denying the application because it was incomplete and recommended dismissal because the complaint was an impermissible shotgun pleading. After the plaintiff failed to object timely, the district court reviewed the record, adopted and confirmed the Report and Recommendation, denied the application, dismissed the complaint without prejudice, terminated pending motions, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 150 (1985)
- Dupree v. Warden, 715 F.3d 1295, 1304–05 (11th Cir. 2013)

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